

# Cuban-Haitian Arrivals in U.S.

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*Following is a statement by Victor H. Palmieri, U.S. Coordinator for Refugee Affairs, at a State Department press briefing on June 20, 1980.*

For more than two decades south Florida has been providing a haven for Cubans fleeing from Castro's repressive policies and Cuba's failing economy. In recent years, it has also become an entry point for thousands of Haitian "boat people." In the last 2 months, more than 114,000 Cubans have entered south Florida by boat.

The sudden and disorderly arrival of these Cubans on our shores without proper documentation has presented this country with an unprecedented political and humanitarian challenge. Under international law, we have an obligation to provide temporary refuge to arrivals claiming a well-founded fear of persecution in their homeland. Under previous U.S. law, we did in fact provide a permanent haven to almost 800,000 Cubans fleeing communism under Castro. Several factors, however, have determined the way we have responded to this extraordinary emergency and the strains it has created in south Florida.

First, those Cubans admitted in past years arrived under an orderly departure program that involved interviews and reviews of documentation before departure from Cuba. This allowed a careful screening process in accordance with U.S. immigration laws. This has not occurred with the current Cuban or Haitian entrants.

Second, our refugee and asylum provisions are now governed by new legislation, the Refugee Act of 1980, which came

into effect on April 1 of this year. The Refugee Act established a framework for selecting groups of refugees overseas for admission to the United States, as well as for granting asylum to individuals already in this country who can demonstrate a well-founded fear of persecution if they were to return to their country of origin. But this legislation did not contemplate the kind of situation we face now, with a sudden massive influx, without overseas processing and valid documentation. The procedures for dealing with asylum seekers in this country require lengthy examinations on a case-by-case basis that would leave many arrivals in limbo status for long periods, without eligibility for federally funded assistance. And the strict standards for asylum would prevent many of the Cubans and Haitians from qualifying for admission under that category.

This is clearly an intolerable situation for the Cuban and Haitian entrants as well as for the States that are receiving and resettling them, particularly the State of Florida. To date, the Cuban-American community and the voluntary resettlement agencies have generously assisted these exiles. But they can no longer bear this burden alone, especially since those being released from the processing centers are increasingly persons without relatives in this country. The size of this special population and the difficulty of returning them to their homelands or resettling them in other countries make it all the more important to clarify their status and eligibility for some forms of federally funded assistance.

In order to redress this extraordinary situation, yet maintain the integrity of our refugee laws for those applying for admission in the prescribed manner, the President has decided to seek special legislation regularizing the status of Cuban-Haitian entrants. This legislation will allow them to remain in the United States and will make them eligible for certain benefits, but it will not provide the status or benefits accorded to those admitted as refugees or granted political asylum.

## U.S. Steps

Until this legislation is enacted, we will take the following steps to deal with the special needs of the communities in which the Cuban-Haitian entrants relocate and to prevent the occurrence of such crises in the future.

- Cubans who have arrived in the United States during the period April 21-June 19, 1980, and who are in Immigration and Naturalization Service (INS) proceedings as of June 19, 1980, and all Haitians who are in INS proceedings as of June 19, 1980, will have their parole into the country renewed for a 6-month period as "Cuban-Haitian entrants (status pending)."

- Under this 6-month parole, these Cubans and Haitians will be eligible, if they otherwise qualify, for Supplemental Security Income (SSI—for the elderly and handicapped), Medicaid, Aid to Families with Dependent Children (AFDC), and emergency assistance under the rules of the States in which they are

residing and with normal Federal-State matching of funds. In order to qualify, Cuban-Haitian entrants must first report to the INS for their new parole documents. Procedures for applying for these benefits will be announced by INS and the Department of Health and Human Services next Friday, June 27.

- Minor children in camps without close relatives in this country will be provided English-language training, health services, counseling, and individualized planning for permanent placement.

- Per capita grants will be provided to private resettlement agencies for all persons leaving processing centers after June 19, 1980, and for Cuban-Haitian entrants being relocated out of the south Florida area after that date. In addition, funds will be provided to the resettlement agencies to provide employment counseling and referral services to all Cuban-Haitian entrants already released from camps or resettled directly into the Miami area.

- The President has already sought funding totaling \$385 million to finance reception, processing, care and maintenance, transportation, initial relocation, health services, and educational costs as part of the FY 1980 supplemental appropriation. The Administration will seek necessary funding for the continuation of this program in FY 1981.

- Special legislation will be submitted to the Congress as soon as possible to:

- Establish a "Cuban-Haitian entrant" status for recently arrived Cubans and Haitians;

- Define services and benefits for these arrivals for 1 year after release from processing centers;

- Provide SSI, Medicaid, AFDC, and emergency assistance under the rules of the States in which they are residing and with normal Federal-State matching of funds; and authorize retroactive reimbursement to States and localities for 75% of the total cost of other general assistance, medical assistance, special educational programs, and social services for 1 year;

- Provide for conversion to permanent resident alien status after 2 years;

- Improve future asylum processing, both to expedite case-by-case review, including exclusion and deportation, and to reduce the likelihood of future problems of this nature;

- Provide minor children without close relatives in this country English-language training, health services, counseling, and individualized planning for permanent placement. States will be reimbursed for 100% of the costs of maintenance and services provided to such unaccompanied minors until they reach the age of majority; and

- Seek a method to identify and extend "Cuban-Haitian entrant status" to those other Haitian "boat people" who have arrived in Florida prior to June 19, 1980, but who are not in INS proceedings.

- Criminals continue to be subject to detention and exclusion or deportation from the United States.

- Processing of applications for asylum will continue. Those who are granted asylum status will be eligible to adjust to permanent resident alien status after 1 year.

- U.S. Government enforcement agencies will continue to interdict boats bringing undocumented aliens into the United States. Enforcement will be maintained to prevent future illegal arrivals, and violators will be subject to civil or criminal prosecution in accordance with the President's declaration of May 14, 1980. Persons who arrive illegally after June 19, 1980, will not be eligible for the program and will be subject to exclusion or deportation in accordance with U.S. immigration laws.

All of these steps are consonant with the policy that the President outlined on May 14. Throughout this emergency, our objectives have been to uphold our international obligations and protect the integrity of our immigration and refugee laws. We have therefore sought to treat the arriving Cubans and Haitians in an equitable way by providing them temporary safehaven until their status can be resolved in this country or until they are offered resettlement in other countries.

In the case of the Cubans, we have also tried to limit both the inhumane and hazardous conditions of their journey and their impact on communities in Florida by deterring the Cuban-American community from illegally bringing in any more undocumented Cubans. At the same time, we have pursued international efforts to negotiate with Castro to establish an orderly departure program to allow the humane and manageable departure of Cubans who qualify for admission to the United States under the Refugee Act of 1980.

To date, our efforts have virtually stopped the boat flotilla from Cuba. We hope that our enforcement measures will discourage others from undertaking the long and dangerous journey by boat in violation of our laws. The problem of undocumented aliens in the United States is clearly broader than the current Cuban-Haitian entrants, and it will have to be the subject of future policy decisions made in consultation with the Congress. We expect that the Select Commission on Immigration and Refugee Policy will be addressing the situation of Haitians who are not covered by the President's decisions I have announced today, as well as other documented aliens in this country.

## Summary

In summary, the current Cuban-Haitian crisis is but a symptom of a worldwide trend toward greater dislocation and migration. In the past, the American people have responded generously to the plight of the uprooted. And our laws provide for the acceptance of large numbers of immigrants and refugees. In fact, we will be admitting over 600,000 this year.

However, there are millions more who would like to begin new lives in this country than we can accept. Our laws therefore establish numerical limits and require careful selection and processing prior to admission. Many applicants for admission have waited for years, and on arrival they have managed with little or no assistance from the Federal Government.

In the case of Cuba, we have long been the country of preferred asylum. We cannot stand by in silent witness to the unsafe and uncontrolled exodus from Cuba, yet our laws do not allow us to accept for permanent resettlement any Cuban or Haitian who arrives here in this manner. While we work for the eventual return of those who are found inadmissible under our laws, particularly criminals, we must now find ways to resettle those whom common decency compels us to receive. ■

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